

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - FLINT

MARIE KULMAN,

Plaintiff(s),

CASE NO.: 05-CV-74162-DT

vs.

HON. ANNA DIGGS TAYLOR  
MAG. JUDGE WALLACE CAPEL

RYAN AND REED, INC.,

Defendant(s),

**ORDER DISMISSING AS MOOT PLAINTIFF'S  
MOTION TO STRIKE ANSWER TO COMPLAINT**

This matter came before the Court for hearing on January 24, 2006, on the Plaintiff's "Motion To Strike Answer To Complaint Filed By Non-Lawyer" filed on December 12, 2005.

On the date set for the hearing in this matter, neither the Defendant or counsel for the Defendant appeared before the Court, despite a Notice of Hearing having been issued by the Court on January 5, 2006. At the hearing, the undersigned held the motion in abeyance pending an order to show cause as to why an order to strike should not enter in this case.

An Order To Show Cause was entered by the Court on January 26, 2006, giving the Defendant until February 16, 2006, to show cause why the Answer it filed on November 16, 2005, was properly filed by an attorney.

On February 3, 2006, the Plaintiff filed a "Notice of Voluntary Dismissal of Defendant Ryan & Reed, LLC, Without Prejudice" D/E #17.

Accordingly, the Plaintiff's previously filed Motion to Strike Answer is hereby  
**DISMISSED AS MOOT.**

**IT IS SO ORDERED.**

The parties are hereby informed that any objections to this order must be filed with the district court within ten days after service, pursuant to Rule 72(a), Federal Rules of Civil Procedure.

**DATED: March 15, 2006**

**s/ Wallace Capel, Jr.  
WALLACE CAPEL, JR  
United States Magistrate Judge**

**CERTIFICATE OF SERVICE**

I hereby certify that on **March 15, 2006**, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: **Ralph E. Musilli, Adam G. Taub**, and I hereby certify that I have hand delivered/ mailed by United States Postal Service the paper to the following non-ECF participants: **Ryan & Reed, Inc., 510 Bering Dr., Ste. 300, Houston, TX 77057.**

**s/ James P. Peltier  
James P. Peltier  
Courtroom Deputy Clerk  
U.S. District Court  
600 Church St.  
Flint, MI 48502  
810-341-7850  
pete\_\_peltier@mied.uscourts.gov**